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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

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9 TROPICANA ENTERTAINMENT INC.,

10 Plaintiff,

11 v.

12 N3A MANUFACTURING, INC., d/b/a
13 HOTELURE, INC.; NIALI ALLI;
14 ADRIENNE ALLI; RICHARD BENNETT;
15 JAY KALMAN; and JOSEPH RIZZO,

16 Defendants.
17

Case No. 3:16-cv-0257-LRH-VPC

ORDER

18 Before the court is defendants N3A Manufacturing, Inc., d/b/a Hotelure, Inc.
19 (“Hotelure”); Niall Alli; and Jay Kalman’s (collectively “defendants”) motion for appointment of
20 counsel. ECF No. 63.


21 Defendants request appointment of counsel in this civil action because they no longer
22 have the resources to pay for their own counsel. However, defendants have failed to establish
23 that exceptional circumstances warrant the appointment of counsel. First, defendants are not at
24 risk of having their physical liberty lost if they lose the litigation. *See e.g., Lassiter v. Dept. of*
25 *Social Services of Durham County, N.C.*, 452 U.S. 18, 25 (1981) (recognizing that an indigent
26 defendant only has a right to counsel in civil actions if their physical liberty is at risk). Second,
27 defendants have not made any showing that they are unable to represent themselves in this
28 contract dispute action or put on any defense. Finally, even if the court were to appoint counsel

1 for the individual defendants, corporate defendant Hotelure would not be entitled to appointed
2 counsel as a matter of law. Therefore, the court shall deny defendants' motion.

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4 IT IS THEREFORE ORDERED that defendants' motion for appointment of counsel
5 (ECF No. 63) is DENIED.

6 IT IS SO ORDERED.

7 DATED this 10th day of April, 2018.

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9 LARRY R. HICKS
10 UNITED STATES DISTRICT JUDGE
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